

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADRIANA AVILES, Individually and as Parent and Natural Guardian of N.A., N.A. and A.A.,
STEPHANIE DENARO, Individually and as Parent and Natural Guardian of D.D. and H.D., **CHRISTINE KALIKAZAROS**, Individually and as Parent and Natural Guardian of Y.K., **GAETANO LA MAZZA**, Individually and as Parent and Natural Guardian of R.L., **CRYSTAL LIA**, Individually and as Parent and Natural Guardian of F.L., and **CHILDREN’S HEALTH DEFENSE**,

Plaintiffs,

Against

BILL de BLASIO, in his Official Capacity as Mayor of the City of New York, **DR. DAVID CHOKSHI**, in his Official Capacity of Health Commissioner of the City of New York, **NEW YORK CITY DEPARTMENT OF EDUCATION, RICHARD A. CARRANZA**, in his Official Capacity as Chancellor of the New York City Department of Education and **THE CITY OF NEW YORK**,

Defendants.

**DECLARATION OF
STEPHANIE DENARO**

Civil No.: 1:20-cv-09829-PGG

Stephanie Denaro, on the date noted below and pursuant to § 1746 of title 28 of the United States Code, declares the following to be true and correct under penalty of perjury under the laws of the United States of America:

1. My daughter D.D. was a fourth grader at P.S. 2 in Manhattan.
2. My daughter H.D. was second grader at P.S. 2 in Manhattan.
3. I also have a a three year old and a seven month old baby.
4. Their school was shutdown on November 19, 2020 by Defendant Bill de Blasio.

5. On November 29, 2020, Defendant de Blasio announced that schools would reopen on December 7, 2020

6. Defendant de Blasio also announced students would be required to participate in a mandatory testing program in order for them to continue with in school learning.

7. Defendants are requiring that parents sign a consent form to mandatory PCR testing in order for students to return to school.

8. I will not consent to mandatory PCR testing for my two daughters.

9. According to the CDC, testing should be voluntary and not mandatory.

10. The CDC also says that it is unethical and illegal to test someone who does not want to be tested, including students whose parents and guardians do not want them to be tested.

11. My daughters are no longer allowed to attend P.S. 2 because I refuse to consent to the mandatory PCR testing and I am now home every day with my four children.

12. It is impossible to assist my daughters with remote learning because I am alone in the apartment with four children and I have absolutely no one to assist me or to help me with my baby.

13. My daughters struggle with remote learning and lose interest very quickly. They desperately need the assistance of a teacher but I will not allow them to be tested against my will.

14. I do not want to legitimize this process..

15. The Defendants are forcing me to choose between my daughters' right to a minimum education and an invasive medical procedure that I oppose.

16. My daughters need their teachers to succeed.

17. My internet access is spotty at best and many times my daughters have trouble connecting.

18. I will not allow my daughters to be tested without my consent and not in the presence of his pediatrician.

19. My daughters desperately need to be inside of a classroom but not at the expense of mandatory testing and sadly, they will regress.

20. The Defendants are not given me any options.

WHEREFORE, declarant respectfully requests that this Honorable Court enter an Order compelling Defendants to immediately refrain from enforcing the mandatory PCR testing restrictions on all New York City Public School Students and allowing Plaintiffs' children to attend school without mandatory PCR testing and for such other and further relief as this Court deems just and proper.

Dated: December 14, 2020



Stephanie Denaro